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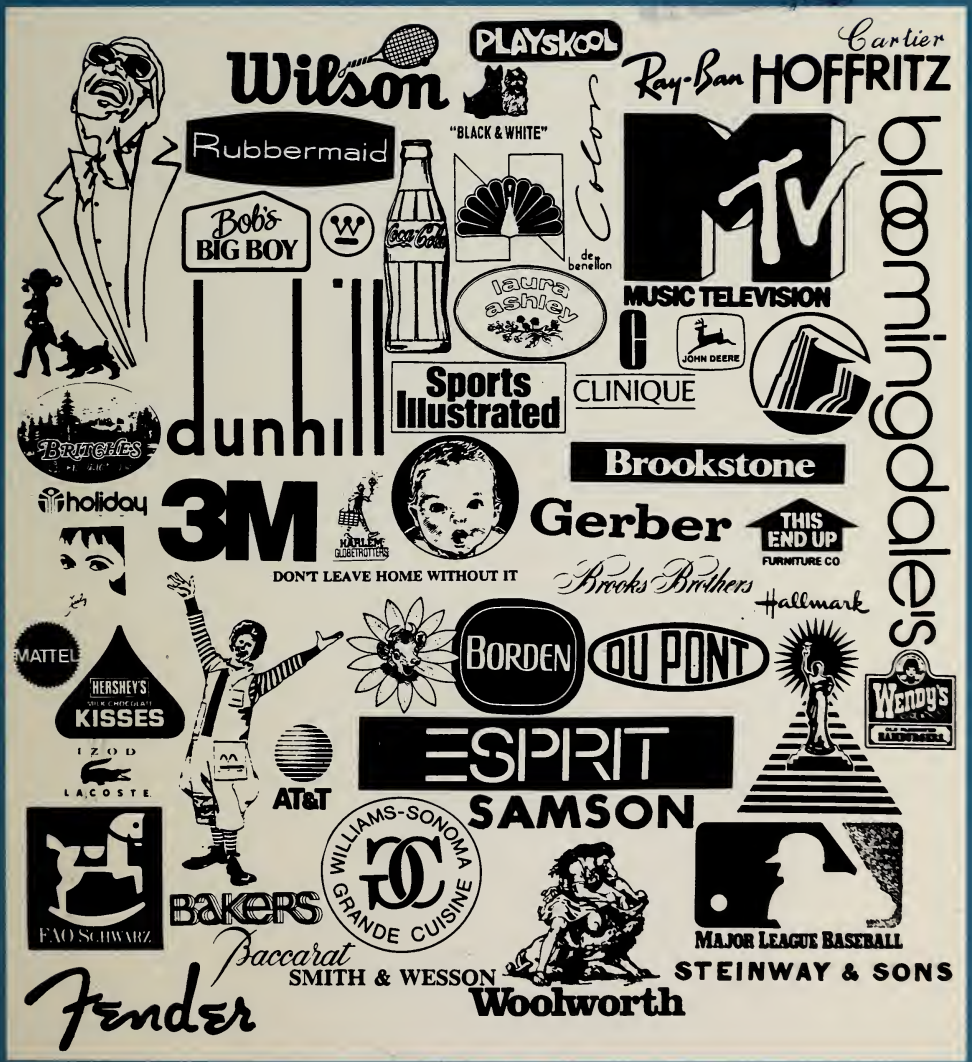
The Challenge of the Trademark Office



U.S. DEPARTMENT OF COMMERCE • Patent and Trademark Office

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Introduction

The Trademark Office offers an opportunity for attorneys to practice trademark law, which is part of the expanding field of intellectual property. The work is challenging and the atmosphere is professional. The people are diverse and interesting. Attorneys are offered a quality of life rarely found in the legal employment environment.

The Trademark Office Organization

The Trademark Office is part of the Patent and Trademark Office, an agency within the Department of Commerce. The Assistant Commissioner for Trademarks oversees all operations of the Trademark Office, including the entire Trademark Examining Operation (TMEO), where the majority of the attorneys work.

The Trademark Examining Operation consists of separate law offices, each with approximately fifteen attorneys and its own area of specialization (e.g. clothing, publications, toys and games, computers, foods, cosmetics, etc.)

The Trademark Office is located within the Crystal City complex in Arlington, Virginia, less than five minutes from downtown Washington, D.C.

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Career Development

Promotions are based on merit. Over 75% of the members of the prestigious Trademark Trial and Appeal Board, the adjudicatory body which hears all inter partes and ex parte appeals, are former examining attorneys. All of the managing attorneys and senior attorneys are also former examining attorneys.

Experienced examining attorneys may be selected to participate in temporary assignments with, among others, the Trademark Trial and Appeal Board and the Office of the Assistant Commissioner for Trademarks. While serving on these assignments, attorneys draft decisions on motions filed before the TTAB and on petitions filed with the Assistant Commissioner.

The knowledge gained in the Trademark Office is recognized throughout the world. Our attorneys become experts in a specialized and expanding area of the law. Some of the more senior attorneys have been privileged to serve as consultants to the World Intellectual Property Organization based in Geneva, Switzerland. They have served in various countries in the Pacific Rim and in others which are in the process of developing or modernizing their trademark systems. Other attorneys have lectured before bar associations throughout the country.

The Trademark Office presents a Legal Lecture Series, an on-going series of programs, seminars and discussions with distinguished practitioners from the private bar and the bench, who discuss trends and recent developments in the law. Several states have already approved these lectures for Continuing Legal Education (CLE) credits.

The Trademark Office has often contributed towards obtaining an LLM in intellectual property, relevant Continuing Legal Education credits, and will pay for other job-related courses at local universities and attendance at professional meetings and conferences.

The "Style"

The staff is comprised of independent and diverse personalities. All share a common devotion to public service and first-class legal work.

While the Office provides challenging legal work, it also provides individuals with the flexibility and time to pursue outside interests.

Trademark attorneys argue their own cases before the Trademark Trial and Appeal Board.

The "Practice"

Trademark attorneys in the Office:

- Examine trademark applications from both U.S. and foreign applicants for compliance with the requirements of the Trademark Act, 15 U.S.C. 1051 et seq;
- Research and write decisions on various statutory refusal issues such as "confusing similarity," "descriptiveness," "geographic descriptiveness," "functionality" and "deceptiveness";
- Write briefs on appeals to the Trademark Trial and Appeal Board;
- Represent the U.S. Patent and Trademark Office in oral arguments before the Trademark Trial and Appeal Board, whose decisions are published in the *United States Patents Quarterly;*
- Participate in special projects.

Trademark attorneys often seek the opinions of their colleagues.

Training of New Attorneys

The three-month comprehensive training program is one of the best in the government. New attorneys learn relevant case law, the statutory bases for registration, Office practice and procedure, and use of the computerized search system. This is accomplished by review of published decisions, handling of actual cases, and attendance at lectures featuring experts in various fields. New attorneys also participate in a moot court exercise (appeal brief and oral argument) before the Trademark Trial and Appeal Board. To further develop their skills, new attorneys work closely with senior attorneys (experienced experts in their fields) for the remainder of the training period. Independence and significant responsibility are attained quickly.

Excellent Resources

The Trademark Office is committed to providing its attorneys with the latest in information systems and other support services. The Office has its own computerized search system with image capabilities as well as a computerized application tracking system.

The Trademark Office maintains a comprehensive library for the entire operation. Each law office also maintains a smaller library with reference materials pertinent to that law office. The Office also provides access to Lexis/Nexis. The Library of Congress and the law libraries of six major law schools are nearby if more extensive research is required.

Flexible Work Schedules

For those preferring flexibility in their work schedules, the Trademark Office offers a variety of alternative full-time work schedules. Attorneys may work four days per week (10 hours each day) or may work a schedule which permits them to have a day off every other week. Another program permits a starting time which can vary between 6:30 and 9:30 a.m.

The Trademark Office sponsors the Annual National Trademark Exposition in Washington, D.C.

Compensation

SALARY - As a government agency, salaries conform to ranges approved by Congress. Attorneys without previous significant trademark experience can expect to start at the GS-11 level. At the GS-11 level and above, salaries may exceed the first step of the grade, depending on superior qualifications and experience. Raises of between 20-25% are typical during the first two years.

Law students who have not yet passed the bar can join the office as long as they pass the bar within fourteen months of their starting date. For information about grade levels, call the Personnel Office at (703) 557-3631 or (toll free) 1-800-327-2909.

BONUSES - Annual awards can total up to 9% of one's annual salary. The amount of the award depends on the quality and quantity of work performed during the year.

Benefits

HEALTH AND LIFE INSURANCE - The Trademark Office offers a group life insurance plan and a choice of approximately 30 health plans and pays a large portion of the fees. Booklets describing pertinent plans are available from the Personnel office.

HOLIDAYS - Full time employees are excused from work, with pay, to observe 10 national holidays.

LEAVE - Vacation time, known within the government as annual leave, is accrued according to an employee's length of federal service-with a minimum of 13 days per year and increasing to 19.5 days per year after 3 years

of government service. All employees earn 13 days of sick leave each year.

RETIREMENT - New employees are automatically enrolled in a three-tiered system, including Social Security, a basic pension plan, and the Thrift Savings Plan, similar to a 401(K) plan, which allows the employee to invest in three funds: government securities, common stock and/or bonds.

Lifestyle

Crystal City is located just across the Potomac River from Washington, D.C. It is a well-planned environment with beautifully landscaped gardens and parks, shopping areas and a multitude of restaurants. Crystal City has its own subway stop and is convenient to Maryland, Virginia and D.C.

The Washington area offers a wide array of cultural activities. There are many museums, art galleries,

The Trademark Office is located near a major shopping center, many restaurants and Metro.

performing arts facilities and numerous other cultural opportunities. Washington is always alive with outdoor and indoor events including the Cherry Blossom Festival, concerts by the National Symphony Orchestra at the Capitol, performances at the six theatres of the John F. Kennedy Center for the Performing Arts, and professional sporting events.

Washington is like no other place in the world. It has Georgetown, the National Zoo, an abundance of parks, Congress, the monuments, and some of the best restaurants and shops in the world. The pleasure of the ocean, the Chesapeake Bay and the mountains are all within a 2-3 hour drive from the city. And, Washington's National Airport is less than five minutes away.

Child Care

There is a private facility within Crystal City offering a comprehensive developmental child care program as well as infant care.

Athletic Facilities

Crystal City offers two beautiful private athletic clubs with pools, saunas, state-of-the-art equipment, and aerobic classes. In addition, runners will enjoy the scenic surroundings of Crystal City.

Jogging is one of the lunchtime activities enjoyed by trademark attorneys.

Equal Employment Opportunity

The Trademark Office assures equal employment opportunity in all its policies, practices, and programs and devotes special attention to the recruitment of minority, handicapped and female candidates. In all its programs, the Office embraces the spirit and letter of Title VII of the Civil Rights Act.

Qualifications

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- strong writing and research abilities
- good communication skills
- self-motivation
- U.S. citizenship
- member of any U.S. bar or gaining admission to any U.S. bar within fourteen months of hiring.

A last minute word of advice before an important meeting.

How to Apply

Send a resume or Federal form SF-171 and an unoffical transcript to:

U.S. PATENT AND TRADEMARK OFFICE
Trademark Recruitment Coordinator
Personnel Department, Box 171-B
Washington, D.C. 20231

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Patent and Trademark Office
Washington, D.C. 20231

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